

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**"GOLF MARKING FLAG FOR ATTACHMENT TO MOVEABLE POLES FOR
MARKING HOLE LOCATION IN GOLF COURSE GREENS"**

the specification of which

(check one) ☒ is attached hereto.

☐ was filed on _____ as Application Serial No. _____

☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority	Claimed
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §119(e) and/or Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status: patented, pending, abandoned)
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_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status: patented, pending, abandoned)
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I hereby appoint the following attorney(s) and or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Daniel J. Hudak, Reg. No. 25,879; Laura F. Shunk, Reg. No. 31,423; Frank C. Rote, Jr., Reg. No. 20,395; Nestor W. Shust, Reg. No. 23,034; Michele M. Tyrpak, Reg. No. 42,192; Daniel J. Hudak, Jr., Reg. No. 47,669; Cheryl L. Farine, Reg. No. 36,796; and Thomas M. Schmitz, Reg. No. 25,084.

Address all telephone calls to: Thomas M. Schmitz at Telephone No. 216-252-7040

Address all correspondence to: HUDAK & SHUNK CO., L.P.A.
Attn.: Thomas M. Schmitz
2020 Front St., Suite 307
Cuyahoga Falls, OH 44221

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

FIRST OR SOLE INVENTOR:

Inventor(s) Signature: *Dale J. Hlavin*
Inventor(s) Typed Name: Dale J. Hlavin
Residence (City): Westlake
Post Office Address: 30939 Riveria Lane, Westlake, Ohio 44145

Date: SEPTEMBER 16, 2003
Citizenship: USA
State/Foreign Country: OHIO

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))- SMALL BUSINESS CONCERN****Docket Number (Optional)
MARKERS-C****Applicant, Patentee, or Identifier:** Dale J. Hlavin**Application or Patent No.:** _____**Filed or Issued:** _____**Title:** GOLF MARKING FLAG FOR ATTACHMENT TO MOVABLE POLES FOR MARKING HOLE
LOCATION IN GOLF COURSE GREENS

I hereby state that I am

- { the owner of the small business concern identified below:
- { an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: MARKERS, INC.**ADDRESS OF SMALL BUSINESS CONCERN:** 33597 Pin Oak Parkway, Avon Lake, Ohio 44012 (USA)

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- { the specification filed herewith with title as listed above.
- { the application identified above.
- { the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- { no such person, concern, or organization exists.
- { each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING: Dale J. Hlavin**TITLE OF PERSON IF OTHER THAN OWNER:** President**ADDRESS OF PERSON SIGNING:** 30939 Riveria Lane, Westlake, Ohio 44145**SIGNATURE** **DATE** SEPTEMBER 16, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.